

Thompson (MS) Underwood
Titus Vargas
Tlaib Veasey
Tonko Vela
Torres (CA) Velazquez
Torres (NY) Wasserman
Trahan Schultz
Trone Waters

NAYS—204

Aderholt Gonzalez (OH)
Allen Good (VA)
Amodei Gooden (TX)
Armstrong Gosar
Arrington Graves (LA)
Babin Graves (MO)
Bacon Green (TN)
Baird Greene (GA)
Balderson Griffith
Banks Grothman
Barr Guest
Bentz Guthrie
Bergman Hagedorn
Bice (OK) Harris
Biggs Harshbarger
Bilirakis Hartzler
Bishop (NC) Hern
Boebert Herrell
Brady Herrera Beutler
Brooks Hice (GA)
Buchanan Higgins (LA)
Buck Hill
Bucshon Hinson
Budd Hollingsworth
Burchett Hudson
Burgess Huizenga
Calvert Issa
Cammack Jackson
Carl Jacobs (NY)
Carter (GA) Johnson (LA)
Carter (TX) Johnson (OH)
Cawthorn Johnson (SD)
Chabot Jordan
Cheney Joyce (OH)
Cline Joyce (PA)
Cloud Katko
Cole Keller
Comer Kelly (MS)
Crawford Kelly (PA)
Curtis Kim (CA)
Davidson Kinzinger
Davis, Rodney Kustoff
DesJarlais LaHood
Diaz-Balart LaMalfa
Donalds Lamborn
Duncan Latta
Dunn LaTurner
Emmer Lesko
Estes Long
Fallon Loudermilk
Feenstra Lucas
Ferguson Luetkemeyer
Fischbach Mace
Fitzgerald Malliotakis
Fitzpatrick Mann
Fleischmann Massie
Fortenberry Mast
Foxy McCarthy
Franklin, C. McCaul
Scott McClain
Fulcher McClintock
Gaetz McHenry
Gallagher McKinley
Garbarino Meijer
Garcia (CA) Meuser
Gibbs Miller (IL)
Gimenez Miller (WV)
Gohmert Miller-Meeks
Gonzales, Tony Moolenaar

Mooney
Moore (AL)
Moore (UT)
Mullin
Nehls
Newhouse
Norman
Nunes
Oberholte
Owens
Palazzo
Palmer
Pence
Perry
Pfluger
Posey
Reed
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Scalise
Schweikert
Scott, Austin
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Tiffany
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyn
Wagner
Walberg
Walorski
Waltz
Weber (TX)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack
Wright
Young
Zeldin

NOT VOTING—7

Bost Granger
Clyde Murphy (NC)
Crenshaw Steel

□ 2112

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Adams (Brown) Bergman Bilirakis
Axne (Stevens) (Walberg) (Fortenberry)
Baird (Bucshon)

Bishop (GA) (Butterfield)
Blumenauer
Blumenauer (Beyer)
Bonamici (Clark) (MA)
Boyle, Brendan F. (Jeffries)
Buchanan (Cammack)
Cárdenas (Gallego)
Carson (Underwood)
Costa (Correa)
DeSaulnier (Matsui)
DesJarlais (Kustoff)
Deutch (Rice) (NY)
Dingell (Stevens)
Doyle, Michael F. (Cartwright)
Eshoo (Thompson) (CA)
Fleischmann (Kustoff)
Fletcher (Allred)
Frankel, Lois (Clark) (MA)
Gonzalez (OH) (Joyce) (OH)
Grijalva (García) (IL)
Hastings (Wasserman) (Schultz)
Jayapal (Raskin)
Johnson (TX) (Jeffries)
Jones (Jacobs) (CA)
Kaptur (Stevens)
Kirkpatrick (Gallego)
Kuster (Pingree)
Lamborn (Walberg)
Langevin (Lynch)
LaTurner (Mann)
Lawson (FL) (Evans)
Lee (NV) (Stevens)
Leger Fernandez (Davids) (KS)
Lieu (Beyer)
Lowenthal (Beyer)
McEachin (Wexton)
McNerney (Huffman)
Nadler (Jeffries)
Napolitano (Correa)
Ocasio-Cortez (Tlaib)
Pascarell (Pallone)
Payne (Wasserman) (Schultz)
Peters (Beyer)
Porter (Wexton)
Pressley (García) (IL)
Richmond (Butterfield)
Rush (Underwood)
Schneider (Sherrill)
Sires (Pallone)
Smith (WA) (Courtney)
Strickland (Kilmer)
Thompson (MS) (Butterfield)
Titus (Connolly)
Tonko (Pallone)
Vela (Gomez)
Walorski (Banks)
Watson Coleman (Pallone)
Wild (Scanlon)
Wilson (FL) (Hayes)
Young (Malliotakis)

CALLING ON VICE PRESIDENT PENCE TO CONVENE AND MOBILIZE THE CABINET TO ACTIVATE SECTION 4 OF THE 25TH AMENDMENT TO DECLARE PRESIDENT DONALD J. TRUMP INCAPABLE OF EXECUTING THE DUTIES OF HIS OFFICE

Mr. RASKIN. Mr. Speaker, pursuant to House Resolution 38, I call up the resolution (H. Res. 21) calling on Vice President MICHAEL R. PENCE to convene and mobilize the principal officers of the executive departments of the Cabinet to activate section 4 of the 25th Amendment to declare President Donald J. Trump incapable of executing the duties of his office and to immediately exercise powers as acting President, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore (Mr. BUTTERFIELD). Pursuant to House Resolution 38, the amendment to the preamble, printed in House Report 117-1, is adopted, and the resolution, as amended, is considered read.

The text of the resolution, as amended, is as follows:

H. RES. 21

Whereas on Wednesday, January 6, 2021, the day prescribed under section 15 of title 3, United States Code, for the counting of electoral votes, Congress experienced a massive violent invasion of the United States Capitol and its complex by a dangerous insurrectionary mob which smashed windows and used violent physical force and weapons to overpower and outmaneuver the United States Capitol Police and facilitated the illegal entry into the Capitol of hundreds, if not thousands, of unauthorized persons (all of whom entered the Capitol complex without going through metal detectors and other security screening devices);

Whereas, the insurrectionary mob threatened the safety and lives of the Vice President, the Speaker of the House, and the

President pro tempore of the Senate, the first three individuals in the line of succession to the presidency, as the rioters were recorded chanting “Hang Mike Pence” and “Where’s Nancy” when President Donald J. Trump tweeted to his supporters that “Mike Pence didn’t have the courage to do what should have been done to protect our country” after the Capitol had been overrun and the Vice President was in hiding;

Whereas the insurrectionary mob attacked law enforcement officers, unleashed chaos and terror among Members and staffers and their families, occupied the Senate Chamber and Speaker Nancy Pelosi’s office along with other leadership offices, vandalized and pilfered government property, and succeeded in interfering with the counting of electoral votes in the joint session of Congress;

Whereas the insurrectionary mob’s violent attacks on law enforcement and invasion of the Capitol complex caused the unprecedented disruption of the Electoral College count process for a 4-hour period in both the House and the Senate, a dangerous and destabilizing impairment of the peaceful transfer of power that these insurrectionary riots were explicitly designed to cause;

Whereas 5 Americans have died as a result of injuries or traumas suffered during this violent attack on Congress and the Capitol, including Capitol Police Officer Brian D. Sicknick and Ashli Babbitt, Rosanne Boyland, Kevin Greeson, and Benjamin Phillips, and more than 50 police officers were seriously injured, including 15 officers who had to be hospitalized, by violent assaults, and there could easily have been dozens or hundreds more wounded and killed, a sentiment captured by Senator Lindsey Graham, who observed that “the mob could have blown the building up. They could have killed us all”;

Whereas these insurrectionary protests were widely advertised and broadly encouraged by President Donald J. Trump, who repeatedly urged his millions of followers on Twitter and other social media outlets to come to Washington on January 6 to “Stop the Steal” of the 2020 Presidential election and promised his activist followers that the protest on the Electoral College counting day would be “wild”;

Whereas President-elect Joseph R. Biden won the 2020 Presidential election with more than 81 million votes and defeated President Trump 306-232 in the Electoral College, a margin pronounced to be a “landslide” by President Trump when he won by the same Electoral College numbers in 2016, but President Trump never accepted these election results as legitimate and waged a protracted campaign of propaganda and coercive pressure in the Federal and State courts, in the state legislatures, with Secretaries of State, and in Congress to nullify and overturn these results and replace them with fraudulent and fabricated numbers;

Whereas President Trump made at least 3 attempts to intervene in the lawful vote counting and certification process in Georgia and to coerce officials there into fraudulently declaring him the winner of the State’s electoral votes, including calls to Georgia Governor Brian Kemp and a State elections investigator, and an hour-long conversation with Secretary of State Brad Raffensperger badgering him to “find 11,780 votes” and warning of a “big risk” to Raffensperger if he did not intervene favorably to guarantee the reelection of President Trump;

Whereas President Trump appeared with members of his staff and family at a celebratory kickoff rally to encourage and charge up the rioters and insurrectionists to “walk down to the Capitol” and “if you don’t fight like hell, you’re not going to have a

country anymore” on Wednesday, January 6, 2021;

Whereas while violent insurrectionists occupied parts of the Capitol, President Trump ignored or rejected repeated real-time entreaties from Speaker Nancy Pelosi and Senate Minority Leader Chuck Schumer to appeal to his followers to exit the Capitol, and also ignored a tweet from Alyssa Farah, his former communications director, saying: “Condemn this now, @realDonaldTrump—you are the only one they will listen to. For our country!”;

Whereas photographs, cell phone videos, social media posts, and on-the-ground reporting show that numerous violent insurrectionists who invaded the Capitol were armed, were carrying police grade flex cuffs to detain and handcuff people, used mace, pepper spray, and bear spray against United States Capitol Police officers, erected a gallows on Capitol grounds to hang “traitors,” vehemently chanted “Hang Mike Pence!” while surrounding and roving the Capitol, emphasized that storming the Capitol was “a revolution,” brandished the Confederate battle flag inside the Capitol, and were found to be in possession of Napalm B, while still unidentified culprits planted multiple pipe bombs at buildings near the Capitol complex, another lethally dangerous criminal action that succeeded in diverting law enforcement from the Capitol; and

Whereas Donald Trump has demonstrated repeatedly, continuously, and spectacularly his absolute inability to discharge the most basic and fundamental powers and duties of his office, including most recently the duty to respect the legitimate results of the Presidential election, the duty to respect the peaceful transfer of democratic power under the Constitution, the duty to participate in legally defined transition activities, the duty to protect and uphold the Constitution of the United States, including the counting of Electoral College votes by Congress, the duty to protect the people of the United States and their elected representatives against domestic insurrection, mob rule, and seditious violence, and generally the duty to take care that the laws be faithfully executed: Now, therefore, be it

Resolved, That the House of Representatives calls upon Vice President Michael R. Pence—

(1) to immediately use his powers under section 4 of the 25th Amendment to convene and mobilize the principal officers of the executive departments in the Cabinet to declare what is obvious to a horrified Nation: That the President is unable to successfully discharge the duties and powers of his office; and

(2) to transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives notice that he will be immediately assuming the powers and duties of the office as Acting President.

The SPEAKER pro tempore. The resolution, as amended, shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

The gentleman from Maryland (Mr. RASKIN) and the gentleman from Ohio (Mr. JORDAN) each will control 30 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. RASKIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their re-

marks and insert extraneous material on H. Res. 21.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. RASKIN. Mr. Speaker, I yield myself 3 minutes to begin.

Mr. Speaker, we have experienced the trauma of a violent attack on this House of Representatives, on this Chamber, and on all of the people who work here.

An armed, lawless, and enraged mob smashed windows, beat up and crushed Capitol Hill Police officers who cried out in agony; overcame and subdued law enforcement; killed or caused the deaths of at least five American citizens, including a heroic Capitol Hill Police officer, Brian Sicknick, and four other Americans; inflicted serious injuries on dozens of our police officers and other people, including 15 officers who had to be hospitalized.

Chanting “stop the steal” and “hang Mike Pence,” they threatened the lives and safety of the three individuals in the line of succession to the President of the United States. They built a gallows right outside the Capitol.

They screamed, “Where is Nancy?” They stormed the Speaker’s office, and they occupied it. They stole government property. They trashed the place.

They terrorized officers, staff, and Members. They brandished the Confederate battle flag in the Capitol of the United States, something that didn’t even happen during the Civil War.

They allowed hundreds or thousands of people to enter the Capitol without metal detectors or any kind of security screening at all, not only to desecrate the temple of democracy and to spit in the face of Congress but actually to interfere with the counting of electoral college votes in the 2020 Presidential election.

They may have been looking for Vice President PENCE and Speaker PELOSI, but every person in this room could have died. As a shaken Senator LINDSEY GRAHAM said, “The mob could have blown the building up. They could have killed us all.”

Mr. Speaker, whether or not you believe the President’s course of conduct in encouraging, building, summoning, assembling, and inflaming the mob—lighting the flame, as Congresswoman LIZ CHENEY put it in a very powerful and cogent statement this evening—whether you believe that that was a high crime and misdemeanor, an offense against the Republic, that is a question for another time. And to put my cards on the table, I think it was a crime against the Republic.

But leaving that aside, I think every Member in this body should be able to agree that this President is not meeting the most minimal duties of office. He is not meeting the oath that he swore, to uphold and defend the Constitution against all enemies, foreign and domestic. He is not protecting and defending the democracy itself, the

process of electing the President. He is not respecting the peaceful transfer of power. He is not taking care that the laws are faithfully executed. He is not protecting the Republic against mob insurrection, invasion, and hostility. He is not protecting the republican form of government for the people of the United States when he allowed this to happen.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RASKIN. Mr. Speaker, I yield myself an additional 30 seconds.

Mr. Speaker, this resolution is simply asking Vice President PENCE to exercise his powers under the 25th Amendment of the Constitution, section 4, to convene the Cabinet and to mobilize the Cabinet to state and articulate what is obvious to the American people—this President is not meeting the duties of office and is clearly not capable of it—and to transfer the powers to the Vice President under the 25th Amendment.

Mr. Speaker, I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield 2½ minutes to the gentleman from the great State of California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Speaker, what a sad and ominous way to begin the 117th Congress. Hasn’t this body done enough in the last session to divide our country and abuse our Constitution without carrying that damage into the new session?

The 25th Amendment specifically addresses the incapacity of the President to discharge the duties of his office. It was never intended as a political weapon when Congress doesn’t like the way he discharges those duties.

Now, I have read that speech. He never suggested rampaging the Capitol and disrupting the Congress. He urged them to—and this is an exact quote—“peacefully and patriotically make your voices heard.”

Now, many of us Republicans joined a bipartisan vote to respect the electoral college votes despite our suspicions, our misgivings, and our desires. We did this because the Constitution commanded it and our institutions depend on it. Now, today, those same principles should compel a bipartisan vote to oppose this grotesque abuse of the 25th Amendment.

Last week, the majority argued that the President tried to misuse the Constitution to overturn the votes of the electoral college. Well, he asserted no direct power. Rather, he urged the Vice President and Congress to do so. Many of us declined his bad advice.

Yet, this week, the majority directly is asserting power to misuse the 25th Amendment in a manner that does overturn the votes of the previous electoral college. Don’t they see that they are committing directly the same offense they accuse the President of committing indirectly?

Every act we take builds a precedent for future acts. Once Congress asserts

this new role as armchair psychiatrists and a new power to equate intemperate speech with functional disability, the most important pillars of our government—stability, the rule of law, and the separation of powers—will fracture.

It won't affect this President, but it will stalk future Presidents from this day forward. For their sake, please don't do this.

Mr. RASKIN. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding and applaud him and salute him as a constitutional scholar, an intellectual resource, and the force of justice that he has been as he has crafted and advanced this resolution.

I thank the entire House Democratic Caucus for their love of country, determination to protect our democracy, and the loyalty to our oath that had been so beautifully manifested in this dark past week.

Mr. Speaker, a dark week it has been indeed. On Wednesday, the President of the United States incited a deadly insurrection against America that targeted the very heart of our democracy, this temple of democracy, the United States Capitol, defiling the genius of the Constitution—separate but equal—attacking the first branch of government, trying to prevent us from carrying out our constitutional duty to ascertain that Joe Biden and KAMALA HARRIS will be President and Vice President of the United States.

The gleeful desecration of the Capitol and the violence against Congress, our staff, and our workers are horrors that will forever stain our Nation's history. Five Americans have died following the violent attack. More than 50 police officers were seriously injured, including 15 officers who were hospitalized.

On behalf of the House, I salute and express deepest gratitude to the U.S. Capitol Police for the valor that they showed in protecting the lives of Members, especially protecting our staff and those who make Congress function.

Mr. Speaker, this is a sad day for our country, that we have to come to the floor in a way to defend the Constitution of the United States at this time.

The facts are very clear: The President called for this seditious attack. For days, he urged supporters to come to Washington for the insurrection. Wednesday morning, he participated in a rally to encourage the rioters to march on the Capitol and fight.

Not only did he urge people to march on the Capitol and fight, he further fanned the flames, and he and his family cheered and celebrated the desecration of the Capitol.

Later that day, as the dangers escalated, he ignored and then flat-out rejected the pleas of Congress, including those of his own party, to call off his supporters—the rioters, the terrorists—as they engaged in vandalism and violence.

Now, the President is saying that he is not responsible and that his incite-

ment to violence was totally appropriate.

The President's actions demonstrate his absolute inability to discharge the most basic and fundamental powers and duties of his office. Therefore, the President must be removed from office immediately.

This is a decision we make with the utmost solemnity and prayerfulness which this crisis requires. Removal of the President is an unprecedented action, but it is required because it is an unprecedented moment in history because of the danger that he poses.

I heard the previous speaker say that we are objecting to the President because we don't like the way he executes his duties. No, we don't like it at all: acts of sedition, incitement to insurrection, treasonous activity. If you are associating yourself with that as the proper execution of the President's duties, then you are associating yourself with sedition and treason.

Yesterday, in a pro forma session, we introduced a unanimous consent request to take up Congressman RASKIN's legislation, which calls on the Vice President to mobilize the Cabinet to activate the 25th Amendment to remove the President from office, again, to prevent him from causing more damage to our country. Who knows what he might do next?

But House Republicans rejected this legislation. So the President's unhinged, unstable, deranged acts of sedition may continue, endangering America and undermining our democracy.

Now we are taking up this legislation in regular session. After passage, we are calling on the Vice President to respond within 24 hours of passage. This resolution gives House Republicans the clear choice to honor the oath of office, to defend our democracy, and to uphold the sacred trust given to us by the Constitution and by those whom we represent.

Mr. Speaker, during the Trump Presidency, these 4 years, and especially during this sad time, I recall the words of the great Israeli poet Ehud Manor when he said:

I can't keep silent in light of
How my country's changed her face
Won't quit trying to remind her
In her ears, I'll sing my cries
Until she opens her eyes.

"I can't keep silent in light of how my country's changed her face." I urge my Republican colleagues to open their eyes and to finally hold this President accountable. The security of our country and the future of our very democracy are at stake.

When we pray for God to bless America, let us hope that that blessing comes down strongly on us in the next few days.

Again, Mr. Speaker, I applaud the great leadership of Mr. RASKIN.

□ 2130

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. CLINE).

Mr. CLINE. Mr. Speaker, I rise today in opposition to H. Res. 21, calling on

Vice President PENCE to invoke section 4 of the 25th Amendment.

Like all of us, I condemn, in the strongest possible terms, the violence that occurred here in our Nation's Capitol last week. Political violence is never the answer, regardless of which side of the political spectrum it occurs. And that is a strongly held position on which I have been clear since well before my time in Congress.

Let's be clear about a few things. The adoption of this political resolution would be divisive rather than unifying. The Vice President has said he has no intention of taking action under the amendment. So, this process is pure political theater on the part of the majority.

In addition, no due process has been provided. As a former prosecutor, if law enforcement brought evidence of a crime to me and said take this to the jury tomorrow for a jury trial, there would be no chance for the defendant to prepare any defense. I would be violating half the Constitution, the code of Virginia, and over 100 different rules of procedure.

In the more than 50 years since the 25th Amendment was ratified, section 4 has never been invoked. As such, there are no judicial or authoritative opinions that would evaluate its implementation. Absent this, we must look to the legislative intent of the Congress that passed its language, and nowhere in the legislative intent is the current situation envisioned. It is meant to be used for incapacity, not for political ends with 8 days remaining in a President's term.

Last week, Vice President PENCE was lauded by the majority for not yielding to pressure to exert power beyond his constitutional authority to determine the outcome of the election. Yet, the majority today is attempting to pressure him to exert power beyond the intention of his constitutional role in section 4 of the 25th Amendment.

This action will only further fuel the political divide among our citizens and will be detrimental to the long-term efforts to unify our country.

Mr. Speaker, both President Trump and President-elect Biden have called for a peaceful transition of power. I would encourage members of both parties to work toward this end and vote against this rushed, misguided, politically motivated resolution.

Mr. RASKIN. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Speaker, last week, as we counted electoral college votes, I said this day marks a crossroads for our American democracy. We didn't know then what an ominous statement that was. We do now.

Congress was attacked by a violent mob, incited by the President, to stop us from doing our constitutional job. The President not only encouraged the mob; he said he loved them and made no serious effort to stop them.

Lives were lost and put in danger. Constitutional government was urgently threatened. The President's actions were not only wrong; they were dangerous.

He lives in an alternate reality. He is a continuing threat to America.

Vice President PENCE should invoke the 25th Amendment, assume Presidential duties until the inauguration next week, and save us from a President who is unable to function, unable to protect our country.

I urge all, including my Republican colleagues, to put politics aside. Act to secure the safety of our country. We truly are at a crossroads for our American democracy.

Mr. JORDAN. Mr. Speaker, I yield 2 minutes the gentleman from Arizona (Mr. BIGGS).

Mr. BIGGS. Mr. Speaker, the violence at the Capitol last week has been condemned by Republicans, Democrats, and President Trump. So, I wonder: Why are the Democrats stoking the fire instead of dousing the flames?

This 25th Amendment resolution is actually similar, with some differences, to the proposal filed in October of this year by the same Representative and joined by 42 Democrats. The problem at that time is they were trying to get this commission together. This time, they want the Vice President to invoke the other portion of article 4. But the problem, of course, is that the Vice President sent a very lovely letter to them, saying he is not going to do that.

Our Nation is divided. While folks on the left are trying to lay this all on President Trump, you should consider a few statements from colleagues across the aisle.

One of our colleagues at one point said: "If you see anybody from that Cabinet," meaning Mr. Trump's Cabinet, "in a restaurant, in a department store, at a gasoline station, you get out and you create a crowd. And you push back on them, and you tell them they are not welcome anymore, anywhere."

Senator BOOKER called for his supporters to: "Go to the Hill today. Get up and please get up in the face of some Congresspeople."

I have dozens more similar statements. But what we are talking about here today is a resolution, asking the Vice President to invoke the 25th Amendment and get the Cabinet together to remove this President.

What that does, it is basically doing what Democrats wrongfully claimed President Trump did on January 6. It pours gas on the smoldering embers, which consist of tens of millions who believe the integrity of the election was questionable. They feel disenfranchised. And quite frankly, they are more angry than aggrieved.

Some believe that by doing this, it is going to be healing. I heard this gentleman say this in the Rules Committee, that doing this would be healing. Yet, the Vice President said he is not going to do that. If this resolution

is to ask the Vice President to invoke this 25th Amendment, if this is what the purpose of this is, to ask the Vice President, then the purpose is now null.

But I suggest to you it looks like, it would appear like, if we are going to proceed on, even after you received the answer that you are seeking, and it is disapprobation of your idea, that the only thing that could be left is to pour gas on the fire.

I am asking that cooler heads prevail here. This is not necessary. Don't let this get in the way. Just to parrot the last speaker, I am asking friends across the aisle: Don't do this.

Mr. RASKIN. Mr. Speaker, the gentleman reasonably poses the question: Why are we doing this?

We think that the President of the United States constitutes a clear and present danger to the Republic and to our people.

For example, on the white supremacist websites that helped to build the President's mob, they are now calling for a return engagement on the days of January 19 and 20. They are calling again for an attack on the Capitol, and they are calling again for the State legislatures, now in 50 States, to be surrounded.

What will the attitude be of the President of the United States? Will he give them aid and comfort? Will he wink at them? Will he send them positive tweets and messages, calling them patriots?

Also, on extreme rightwing websites, they are calling for the President to pardon the organizers of the armed violent insurrection that took place in this body not even a week ago. What if the President decides to pardon them?

We know this President is not living up to the most minimal duties of his office. That is why we are doing this, to protect the public.

By the way, we are not telling the Vice President what he must do. We have no authority to do that. We are telling him what we think he should do and that the Congress will be with him because we know that he has come under extreme rightwing pressure on everything from the counting of the electoral college votes to his positions on a whole range of things to go along with Donald Trump. So, we are trying to counterbalance that attack on him from the right to say the people want to see a peaceful way through this.

I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Accountability comes before healing, but healing should come.

If we look at the Constitution, we will clearly see that Mr. RASKIN's resolution fits the language: an inability to be able to discharge your duties, to exercise the laws carefully.

Do you consider these words from the President of the United States to insurrectionists and terrorists to "walk down to the Capitol," says the President, telling them: "If you don't fight

like hell, you are not going to have a country anymore." And that is the attack that the domestic terrorists made on this place.

All we are asking of the Vice President, through this resolution, is to reflect on that and to call upon the 25th Amendment to convene the Cabinet, to begin the healing, because the President of the United States is dangerous to the American people.

That is why we are on the floor today. We hope that he will have an opportunity to reflect because the Constitution says in many places that the actions of this President are dangerous.

People have died. We have lost two police officers. Others are in the hospital. And yes, it was an insurrection. It is time to pass H. Res. 21.

Mr. Speaker, as a senior member of the Committees on the Judiciary and on Homeland Security, I rise in strong support of H. Res. 21, a resolution calling on Vice President MICHAEL R. PENCE to convene and mobilize the principal officers of the executive departments of the Cabinet to activate Section 4 of the 25th Amendment to declare President Donald J. Trump incapable of executing the duties of his office and to immediately exercise powers as acting President.

As a person who was in the House chamber, that day and witnessed the terror, mayhem, and horror unleashed by the President's incitement of insurrection and utter betrayal of his sacred oath, it is manifestly evident that the President is clearly incapable, and certainly unwilling, of exercising the duties of his office, which makes it essential for Vice-President PENCE to convene the principal officers of the Executive Branch to invoke the 25th Amendment to the Constitution.

Mr. Speaker, the resolution recites a tale of abdication and dereliction of duty by a President of the United States unseen in the history of our country.

On Wednesday, January 6, 2021, the day prescribed by section 15 of title 3, United States Code, for the counting of electoral votes, Congress experienced a massive, violent invasion of the United States Capitol and its complex by a dangerous insurrectionary mob, which smashed windows and used violent, physical force and weapons to overpower and outmaneuver the United States Capitol Police and facilitated the illegal entry into the Capitol of hundreds, if not thousands, of unauthorized persons (all of whom entered the Capitol complex without going through metal detectors and other security screening devices).

This insurrectionary mob threatened the safety and lives of the Vice President, the Speaker of the House, and the President pro tempore of the Senate, the first three individuals in the line of succession to the presidency, as the rioters were recorded chanting "Hang Mike Pence" and "Where's Nancy" when President Donald J. Trump tweeted to his supporters that "Mike Pence didn't have the courage to do what should have been done to protect our country."

The marauders attacked law enforcement officers, unleashed chaos and terror among Members and staffers and their families, occupied the Senate Chamber and Speaker NANCY PELOSI's office along with other leadership offices, vandalized and pilfered government

property, and succeeded in causing the unprecedented disruption of the Electoral College count process for a 4-hour period in both the House and the Senate, a dangerous and destabilizing impairment of the peaceful transfer of power that these insurrectionary riots were explicitly designed to cause.

At least five Americans have died as a result of injuries or traumas suffered during this violent attack on Congress, including Capitol Police Officer Brian D. Sicknick, and more than 50 police officers were seriously injured, including 15 officers who had to be hospitalized by these violent assaults.

There could easily have been hundreds more wounded and killed, a sentiment captured by Senator LINDSEY GRAHAM, one of the President's fiercest enablers, who observed that "the mob could have blown the building up. They could have killed us all."

Mr. Speaker, these insurrectionary protests were widely advertised and broadly encouraged by the current President, who repeatedly disgraced his high office by exhorting his millions of followers on Twitter and other social media outlets to come to Washington on January 6 to "Stop the Steal" of the 2020 Presidential election, promising that the protest on the Electoral College counting day would be "wild."

Although President-elect Joseph R. Biden decisively won the 2020 Presidential election with more than 81 million votes and defeated President Trump 306–232 in the Electoral College, a margin pronounced to be a "landslide" by the current President Trump when he won by the same Electoral College numbers in 2016, the current and temporary occupant of the White House never accepted these election results as legitimate and waged a protracted campaign of propaganda and coercive pressure in the Federal and State courts, in the state legislatures, with Secretaries of State, and in Congress to nullify and overturn these results and replace them with imaginary and fabricated numbers to maintain his continuance in office.

This culminated in the current President taking the stage at the insurrection rally he held on the Ellipse Grounds on January 6, 2021 to exhort the rioters and insurrectionists to "walk down to the Capitol," telling them "if you don't fight like hell, you're not going to have a country anymore."

The President's putative lawyer, Rudy Giuliani, who possesses the uncanny knack of surfacing to make things worse whenever the President is acting to undermine American democracy, warned the mob to expect "trial by combat."

While domestic terrorists occupied parts of the Capitol, the person currently occupying the office of President of the United States, ignored or rejected repeated real-time entreaties from the Speaker of the House and the Democratic Leader of the U.S. Senate to appeal to his followers to exit the Capitol.

Mr. Speaker, photographs, cell phone videos, social media posts, and on-the-ground reporting show that numerous violent insurrectionists who invaded the Capitol were armed, carrying police grade flex cuffs to detain and handcuff people, used mace, pepper spray, and bear spray against United States Capitol Police officers, erected gallows on Capitol grounds to hang "traitors," vehemently chanted "Hang Mike Pence" while roaming the Capitol, emphasizing that storming the

Capitol was "a revolution," and committed the unspeakable offense of brandishing the Confederate battle flag inside the Capitol.

In all of this, Donald John Trump has demonstrated repeatedly, continuously, and spectacularly his absolute inability to discharge the most basic and fundamental powers and duties of his office, including most recently the duty to respect the legitimate results of the Presidential election and the duty to respect the peaceful transfer of democratic power under the Constitution.

Mr. Speaker, Donald John Trump has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice, and to the manifest injury of the people of the United States.

For the safety and security of the people of the United States and the survival of our democracy, he must be removed from office.

For these reasons, I urge all Members to join me in voting for H. Res. 21, calling upon the Vice-President to convene the Cabinet and to invoke the 25th Amendment to the Constitution and assume the powers and duties of the office as Acting President.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentlewoman from Georgia (Mrs. GREENE).

Mrs. GREENE of Georgia. Mr. Speaker, I would like to quote the President of the United States: "I know that everyone here will soon be marching over to the Capitol Building to peacefully and patriotically make your voices heard."

"Go home with love and in peace. Remember this day forever."—President Donald Trump.

I condemn this violence. Republicans have condemned this violence. President Trump has condemned this violence. But elected Democrats over the past year have promoted violence, have supported it. They fund it on their ActBlue fundraising platform.

There has been billions in damage caused over this past year, riots all over this country. Do you know how many companies have endured violence and destruction? I have 83 pages here of businesses that had property damage, were burned, through the Minnesota riots.

Mr. Speaker, I include in the RECORD an article about the Minnesota riots.

[From the Star Tribune, July 31, 2020]

BUILDINGS DAMAGED IN MINNEAPOLIS, ST. PAUL AFTER RIOTS

(By Josh Penrod, C.J. Sinner and Mary Jo Webster)

TWIN CITIES RESTAURANTS AND RETAIL STORES WERE HIT THE HARDEST IN THE RIOTING FOLLOWING GEORGE FLOYD'S KILLING

In the first few days after George Floyd was killed by Minneapolis police, rioters tore through dense stretches of Minneapolis, St. Paul and other metro communities in retaliation, causing millions in property damage to more than 1,500 locations.

In their wake, vandals left a trail of smashed doors and windows, covered hundreds of boarded-up businesses with graffiti and set fire to nearly 150 buildings, with dozens burned to the ground. Pharmacies, groceries, liquor stores, tobacco shops and cell phone stores were ransacked, losing thousands of dollars in stolen merchandise. Many

were looted repeatedly over consecutive nights.

Other property—like gas stations, restaurants and even parked cars—was set on fire, with much of it completely destroyed.

The full extent of damage to Twin Cities buildings—including residences, churches, nonprofits and minority-owned businesses—could take weeks or months to calculate. Already on the ropes from months of lost revenue during a global pandemic, some businesses may never reopen as others are still temporarily or indefinitely closed.

Buildings along a 5-mile stretch of Lake Street in Minneapolis and a 3.5-mile stretch of University Avenue in St. Paul's Midway area experienced some of the heaviest damage. While this is an incomplete list, here's a look at some of those hardest-hit areas.

HEAVY DAMAGE NEAR MINNEAPOLIS POLICE PRECINCTS

For three consecutive nights starting on Wednesday, May 27, rioters pummeled blocks worth of buildings near the Minneapolis' Third and Fifth police precincts, inflicting heavy damage.

On Thursday night, protesters torched and heavily vandalized the Third Precinct, and destroyed at least 20 nearby buildings, including several restaurants, an Auto Zone, Minnehaha Lake Wine & Spirits, a U.S. Post Office, a cellphone store and the building that housed Talk Town Diner, El Nuevo Rodeo and others. Midtown Corner, a multi-story affordable housing project that was still under construction, erupted into a towering inferno, burning so hot that it melted siding off a nearby house.

The following night, about three miles west of the Third Precinct, protesters blanketed the area near the Fifth Precinct, heavily damaging at least seven buildings—including a U.S. Post Office, a Wells Fargo branch, a staffing agency and a Subway in a nearby strip mall. Authorities also reported that shots had been fired at officers in the Fifth Precinct area, but there were no reports of injuries.

FIRES NEAR MIDTOWN GLOBAL MARKET, HEAVY LOOTING IN UPTOWN

The Midtown Global Market area experienced one of the most concentrated tolls during the Floyd riots. More than a dozen businesses near E. Lake Street and Chicago Avenue were destroyed by fire, and a few dozen more reported fire damage with many being burned severely.

Less than two miles to the west near Hennepin Avenue and W. Lake Street, nearly 40 businesses were broken into or heavily looted, including large retailers like H&M, Timberland, an Apple store, Kitchen Window and Urban Outfitters. Just a few blocks away near Lyndale Avenue and W. Lake Street, a cluster of nearly 30 businesses sustained property damage, including several restaurants and bars. There was almost no fire damage in this area, a stark contrast to other clusters along Lake Street.

MILES OF DAMAGE ALONG UNIVERSITY AVENUE

Across the river in St. Paul, the hardest-hit area was a 1-mile stretch of the Midway along University Avenue between Snelling and Lexington Avenues, although damage extended a few miles, stopping just short of the State Capitol. In all, more than 70 businesses were hit, with more than a dozen sustaining serious fire damage.

TWIN CITIES SURROUNDING AREA

Rioters hit buildings well beyond Minneapolis and St. Paul, with damage reported as far north as Blaine and as far south as Apple Valley. Meanwhile, clusters of attacked storefronts sprang up in places like Richfield, North St. Paul, Maplewood, Brooklyn Center and Roseville:

Mrs. GREENE of Georgia. Our Vice-President-elect, KAMALA HARRIS, posted the Minnesota Freedom Fund bail link, encouraging people to donate money to bail criminals out of jail.

Mr. Speaker, I include in the RECORD Vice-President-elect Harris' tweet about the Minnesota Freedom Fund.

Kamala Harris
@KamalaHarris

If you're able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota. 4:34 p.m. 6/1/20 Sprout Social

Mrs. GREENE of Georgia. Mr. Speaker, we should not be hypocrites.

Mr. RASKIN. Mr. Speaker, I am honored to yield 2 minutes to the gentleman from New York (Mr. KATKO).

Mr. KATKO. Mr. Speaker, I rise as a proud American who has the distinct honor of serving this great body.

As a Member of Congress, we take an oath to defend the Constitution because at times it needs defending.

On January 6, the Nation watched as insurrectionists stormed the Capitol, threatened the safety of countless individuals, and successfully, albeit it temporarily, disrupted our process.

In the midst of the attack, hundreds of Capitol Police officers heroically upheld their duty to defend the United States and protect those who work here. Many officers were severely injured and beaten, including one of my former interns.

Tragically, one officer, Officer Brian Sicknick, succumbed to the injuries he sustained.

To Officer Sicknick's family, I extend my deepest condolences. Know that we are praying for you.

To all Capitol Police officers, we are deeply thankful for your bravery. Because of you, thousands of lives were protected, and the people's work was able to resume.

Now, just as the Capitol Police protected us, Congress must match that courage and protect the Constitution, our democratic processes, and this Nation.

The President's role in the insurrection is undeniable. Both on social media ahead of January 6 and in his speech that day, he deliberately promoted baseless theories, creating a combustible environment of misinformation and division.

To allow the President of the United States to incite this attack without consequences is a direct threat to the future of this democracy. For this reason, I will vote to impeach this President tomorrow.

The bill before us tonight is a non-binding resolution, which requests the Vice President to invoke the 25th Amendment, a step he has already said he will not take. It is merely a symbolic gesture, and I will oppose that resolution.

After last week's attack on the Capitol, it is clear our Nation is more divided than ever in recent history. We began this great experiment over 240 years ago. To preserve it, we must re-

member that our faith, race, or political party is not what unites us. What unites us is that we are Americans. I would encourage members of this body, and everyone at home, to remember that simple truth.

□ 2145

Mr. JORDAN. Mr. Speaker, I yield 2½ minutes to the gentleman from North Carolina (Mr. BISHOP).

Mr. BISHOP of North Carolina. Mr. Speaker, I thank the gentleman for yielding.

Two questions, as we begin another 24 hours that will deepen the wounds of the country and the disaffection among Americans:

First, will you stop at nothing?

Second, is there any hypocrisy too far?

Let's call this what it is: An ultimatum, an attempt to intimidate and bully Vice President PENCE. They are not seeking just the same ends as the gentleman from California (Mr. MCCLINTOCK) said, they employ the same means. They seek to bully the Vice President to abuse power under the 25th Amendment, intended to provide for temporary or sudden incapacity of the President while they claim to be scandalized about the President bullying the Vice President one week ago to abuse power under the 12th Amendment.

With all due respect for the gentleman from Maryland, he has not answered: Why are you doing this now?

Tonight, the Vice President has clarified in a letter sent to all of us at 7:34 p.m. that this resolution has absolutely no other purpose. Here are three key things he said: "I urge you and every Member of Congress to avoid actions that would further divide and inflame the passions of the moment. Work with us to lower the temperature and unite our country. . . ."

Quote: "As you know full well, the 25th Amendment was designed to address Presidential incapacity or disability."

Quote: "Under our Constitution, the 25th Amendment is not a means of punishment or usurpation."

And listen to this one carefully: "Last week, I did not yield to pressure to exert power beyond my constitutional authority . . . , and I will not now yield to efforts in the House of Representatives to play political games at a time so serious in the life of our Nation."

The Vice President has given you your answer before you ask the question. No legitimate purpose to this resolution remains. Your ultimatum does violence to a core feature of the architecture of the Constitution. The Framers were emphatic about their purpose to avoid making the President a creature of Congress. The 25th Amendment was not ratified to change that, as you well know. Please do not pervert this important protection to undermine the Constitution.

The SPEAKER pro tempore. The Chair will remind Members that re-

marks in debate must be addressed to the Chair and not to others in the second person.

Mr. RASKIN. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I thank the gentleman for yielding.

Last Wednesday, I came to these hallowed Halls where I serve to watch the electoral college ratify and certify the election of Joe Biden in what was a fair, transparent election, which 61 courts had looked into, and all said it was fine. I was sitting right up there in the gallery when a Capitol Policeman came in and said: We are locking the doors. We are locking the doors.

And within only minutes of that, I heard the rabble knocking on the door, trying to knock it down. We were then told to put on our gas masks and to evacuate, and we all did it.

This was an assault on the Constitution, an assault on Congress. It was a felonious assault. It was an attempt to murder the Congress and our processes to elect our President of the United States. It is the political equivalent of shooting somebody on Fifth Avenue and getting away with it.

Somebody needs to stand up to that, and the 25th Amendment is one way to do it, whether Republicans can purge themselves of their own creation who has damaged this country.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COHEN. I ask us to pass this resolution, bring this country together, and get rid of this cancer.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Mr. Speaker, this is an absurd resolution callously politicizing an unpredictable tragedy last week. We all know that President Trump called for a peaceful and patriotic march. I must have attended a half dozen Trump rallies in the past year, and they have always been peaceful, wholesome events, typical of the thousands of peaceful protesters who remained away from the Capitol last week. I never would have expected this in a million years.

This is a horrible event, but not like the Black Lives Matter, antifa events that went on day after day in city after city, with prominent Democrats fanning the flames by mischaracterizing police shootings or apparently encouraging bail for lawbreakers.

Less than 2 years ago, a Member of this body encouraged harassment of Trump officers at restaurants, gas stations, or department stores. And what happened? She was rewarded with the chairmanship of an "A" committee.

Even in last week's riots, the Speaker tried to preposterously racialize them, which can only lead to trouble, maybe violence. Everybody back home says we ought to get along.

Is this the way to start things?

It is time to get back to dealing with the people's business, dealing with the cancel culture.

Mr. RASKIN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Speaker, for 244 years, America has stood as the world's bellwether of democracy. Last week, the world saw America at perhaps her lowest moment. It was crazy. We all took the same oath when we swore to protect this country from enemies, both foreign and domestic; and now with a domestic enemy having arisen that is crazy, only the Vice President has the power to invoke the 25th Amendment and protect this country from this domestic enemy.

The 25th Amendment was written for this moment. If not now, when would its use ever be appropriate?

Vice President PENCE, you have an opportunity to put country before self by implementing the 25th Amendment. Please muster the courage to protect America from manic behavior that threatens the very foundations of our democracy. Stop the violence, Mr. Vice President.

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Speaker, what happened last Wednesday at the Capitol never should have happened. The actions of those who attempted to breach the Capitol Building, and then ultimately did, are inexcusable. Lawlessness and violence are never acceptable, whichever side of the political divide one may fall. Those who broke the law should be and will be identified and prosecuted.

In the aftermath of last week's tragic events, most Americans continue to be saddened, angry, and wanting answers, and they are looking to us to provide a positive example of how to bring our Nation back together. Unfortunately, if what we are doing this evening is any indication, Congress might not be up to the task.

The Democrats' attempt to invoke the 25th Amendment and to once again impeach President Trump a week before he will be leaving office anyway are, in my opinion, misguided. The push to encourage the Vice President to invoke the 25th Amendment is especially ill advised.

The Constitution is clear that the role for Congress to play under the 25th Amendment is to decide if the powers provided thereunder have been properly invoked in the event of a dispute between the President and Vice President or the majority of the Cabinet. In other words, we are to serve as judges under the 25th Amendment, not instigators.

By encouraging the Vice President to take action, supporters of this resolution are abandoning our constitutional role, which could have a significant legal consequence down the road. And even more importantly, rather than help to heal a divided nation, the Democrats' effort will likely drive us even further apart.

Instead, Mr. Speaker, we should be turning our attention toward uniting

the American people. It is time for us to tone down the political rhetoric, to work together, to solve the problems that face our Nation. It is time for us to put aside our differences and find common ground. After all, we are all Americans.

Mr. RASKIN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SWALWELL).

Mr. SWALWELL. On January 6th, Donald Trump incited radicalized terrorists to attack the Capitol to stop the counting of electoral ballots. Donald Trump won't protect life and cannot uphold our Constitution, so we must do so today.

It is time for our country to unite, but unity in a national crisis starts with accountability, and that starts here in the people's House. So let's unite against the violence incited by Donald Trump to stop a peaceful transition of power, and unite for the safety of all Americans. Let's unite against a President whose hate speech led to the death of a law enforcement officer, and unite for the cops, the military who bravely defended the Capitol. Let's unite against Donald Trump, who inspired terrorists to carry a Confederate flag into this Capitol, display a noose, and desecrate the people's House. And let's unite for the custodial staff, largely people of color, who cleaned up after those White supremacists, because they still believe in this democracy, as imperfect as it was that day.

The most essential function of a President is to protect life and defend liberty. Donald Trump has failed to do that and is failing to do that. So Vice President PENCE must invoke the 25th Amendment.

Mr. JORDAN. Mr. Speaker, may I inquire how much time each side has remaining?

The SPEAKER pro tempore. The gentleman from Ohio has 16½ minutes remaining. The gentleman from Maryland has 16¾ minutes remaining.

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. STEUBE).

Mr. STEUBE. Mr. Speaker, I would be remiss if I didn't address the atrocities occurring right here on the House floor today. A week ago, this building was attacked; and instead of working with Republicans to attempt to prevent that from ever happening again, the Speaker and her Democratic colleagues think an appropriate response is to prevent Members from exercising their Second Amendment constitutional rights in the very place that wasn't secure a week ago.

This attack didn't come from the inside. It came from the outside. And to respond by restricting Members' Second Amendment rights in the very institution that is supposed to uphold those rights is appalling.

Take note, America. This is what you have to look forward to in a Joe Biden administration. If they can do it right here in the people's House, they will attempt to do it across the country.

The plain language of the 25th Amendment is abundantly clear. Although I am an attorney, you don't have to be an attorney to understand that the Vice President is the principal required to invoke the amendment. The beginning of Section 4 states: "Whenever the Vice President and a majority of either principal officers of the executive departments or of such other body as Congress may by law provide . . . declare that the President is unable to discharge . . ."

You must have the Vice President invoking this, and you don't. The Vice President has been clear, he is unwilling to invoke the 25th Amendment. It is not Congress' role to override him. It doesn't state in the amendment that Congress makes that determination. The Vice President does.

But my Democratic colleagues will stop at nothing to remove this President, even a week before his term expires. The plain reading of the 25th Amendment demonstrates that this is the wrong approach. An understanding of last week's events demonstrates this is the wrong approach. And a consideration of the political tactics that we have seen in recent days, months, and years tells you that this is a disingenuous approach at best and 100 percent politically motivated.

I was elected in 2018. My entire congressional career has been consumed by impeaching or removing President Trump. After the Russia collusion hoax and a phone call to the Ukrainian President, and then a failed impeachment attempt that resulted in an acquittal, here we are, a little more than a week away from a new President being sworn in, attempting this travesty both to the Constitution and to America as a whole.

This is dangerous, unconstitutional, and does nothing to heal this country and move this country forward.

Mr. RASKIN. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. GARCIA).

Ms. GARCIA of Texas. Mr. Speaker, I stand before the House floor today alarmed—alarmed that just days ago a sitting President stirred up a deadly attack on our U.S. Capitol. I join my colleagues in calling on Vice President PENCE to activate Section 4 of the 25th Amendment.

It has become abundantly clear that this President has threatened our democratic system, has interfered with the peaceful transition of power, and has endangered an equal branch of government. The President of the United States is unhinged, unfit, and unstable, or as we say in my district, "esta loco el hombre," to the point where he is willing to tear our democracy down unless he prevails in his quest to overturn the election that he clearly lost.

The actions taken by this President and those who enable him show that he is unfit to uphold the duties of his office. For the sake of our Nation's security, this President must be swiftly removed.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. GARCIA of Texas. Mr. Speaker, democracy is a gift that one generation gives to the next.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Colorado (Mrs. BOEBERT).

Mrs. BOEBERT. Mr. Speaker, I rise today to oppose yet another Democrat witch hunt. We should take Democrats at their word when they say: Never let a good crisis go to waste.

While section 4 of the 25th Amendment has never been used, a plain reading of the text, coupled with the context of its ratification, contemplates a very different scenario from the one we are currently in.

□ 2200

It envisions a President's disability resulting from serious illness or injury. To suggest it should be used in a different context violates the very intent of the 25th Amendment.

To be clear, this resolution is a divisive political stunt which would have no force of law and is a waste of our time.

Mr. Speaker, this resolution is a clear overreach, as invoking the 25th Amendment is not something Congress can initiate, and this must be initiated by the executive branch.

Democrats talk about unity, but clearly that is just talk, as their actions only further divide us. Their hypocrisy is on full display this week with this 25th Amendment stunt, Articles of Impeachment, censure bills, and other efforts to try to punish Republicans for false accusations of inciting the type of violence they have so frequently and transparently supported in the past.

Throughout 2020, we witnessed Democrats welcome, encourage, and even normalize violence. For them, violent riots were effective in advancing their agenda.

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume.

Very quickly, the gentlewoman, whom I have not had the pleasure to meet yet, confuses disability and incapacity. Franklin D. Roosevelt was in a wheelchair. He had a disability, and he was one of our greatest Presidents. President Lincoln, according to historians, suffered from depression, but he was one of our greatest Presidents.

Incapacity is different. Incapacity is demonstrated by President Trump's complete, total inability to conform his conduct to the rule of law and the Constitution.

I yield 1 minute to the gentlewoman from Georgia (Mrs. MCBATH).

Mrs. MCBATH. Mr. Speaker, I came to Congress to make sure that no parent ever experienced the pain that I have. I came to Congress to fight for children who have practiced active shooter drills at the same time that they are simply learning how to read, for families who have lost loved ones to gun violence, and for communities that will never ever be the same.

Last Wednesday, Members of this body hid from insurrectionists behind barricades and locked doors. Staffers of this hallowed institution texted to their loved ones, "They are banging on the doors outside. I love you."

And citizens of this Nation watched in real time as rioters stormed the Capitol through shattered windows and broken glass. The result of the President's rhetoric has left five Americans dead.

Our response to anyone who seeks to overthrow the will of the people must be unwavering and resolute. I didn't come to Congress to do this. But President Trump's actions warrant his immediate removal from office.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. FALLON).

Mr. FALLON. Mr. Speaker, I rise today to speak against this resolution. I am at a loss.

I can't believe the very first time that I have the honor and privilege to address this august Chamber is to talk about removing the President of the United States because he held a permitted, legal, and peaceful rally.

It is nothing but a wasteful political grandstand. Let's make no mistake: January 6 was a dark day in our esteemed Nation's history. It was a dark and sad day.

On the afternoon of January 6, a mob breached our sacred Capitol. Donald Trump didn't. A mob destroyed property and vandalized historic treasures and ran amuck on these grounds, but Donald Trump didn't.

A mob committed despicable, evil actions of violence against fellow Americans, but Donald Trump didn't. In fact, Donald Trump urged and, in fact, he demanded peaceful dissent and nothing more. Our colleagues on the other side of the aisle want us to unnecessarily remove a President when we are measuring the time he has left, not in years, months, weeks, or days—he has got 182 hours left in office.

You don't achieve unity by simply saying it. You achieve unity through actions. This resolution accomplishes not unity but, rather, is a waste of time, and fosters further divisiveness. I am going to vote "no" on this resolution.

Mr. RASKIN. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. NEGUSE).

Mr. NEGUSE. Mr. Speaker, I had planned remarks here, but I have to respond to my colleague. His words are simply too much to bear.

The gentleman talks a lot about the mob and culpability. Who summoned the mob? Who encouraged the mob? Who incited the mob? You know as well as I do that the President did. I stood here 6 days ago in this exact same spot, and I quoted Lincoln's admonition that "we shall nobly save, or meanly lose, the last best hope of Earth."

Less than 10 minutes later, a violent mob breached the Capitol, the first

breach of this hallowed building, the citadel of liberty, since the War of 1812.

Congress must respond. Our undertaking here is not about politics. It is a matter of conscience. I support the distinguished gentleman from Maryland's resolution. I pray the Vice President will honor his oath and reconsider and invoke the provisions of the 25th Amendment.

Mr. JORDAN. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. GAETZ).

Mr. GAETZ. Mr. Speaker, well, they may be calling on the Vice President, but based on his letter, he is not answering.

Everybody in this country knows that they wanted to impeach President Trump on his first day in office. And it looks like they are going to want to impeach him on his last day too. But all he did in the middle was rescue our economy, rebuild our military, reform the VA, and reduce America's involvement in foreign wars.

Now, I join the bipartisan caucus condemning the violence that we saw at our Capitol, but the hypocrisy is just downright disorienting.

President Trump called for protests that would be peaceful and patriotic. He got labeled a national security threat. Yet the gentlewoman from California can call on her supporters to get physical and in the faces of Republicans, and she gets the chairmanship of the Financial Services Committee.

Republican Members of Congress utilized a process contemplated in the Constitution to offer an objection, and we were labeled seditionists.

Democrat Members of Congress raised funds for groups attacking our police, burning our cities, destroying our businesses, establishing autonomous zones, and they were celebrated as justice warriors.

Wednesday, they called for unity, democracy, and healing. Now, just days later, seeking power and political advantage, the Democrats have reverted to the mean. They have gone back to their natural state: the party of impeachment, removal, and division.

They are about to have unified control of the government. Maybe they would use this time to preview an agenda for the American people.

The last two times the 25th Amendment was invoked, it was to facilitate a colonoscopy. Now they are using it to facilitate a transition to Joe Biden. How weird. Why?

I would call it virtue signaling, but there is no virtue in it. This removal effort isn't for America. It is for them for their ability to showcase and wield power, and we see the power of cancellation and removal on full display in America today. Forbes Magazine has called for White House officials to be shamed and unemployable.

ABC News has called for the cleansing of the Trump movement. I don't know what that means, but talking about cleansing our fellow human beings sure is scary. Big Tech has driven consumers and conservatives off of

monopolistic platforms, and when we created our own platform, Parler, it was nuked from the internet altogether.

The gentlewoman from New York was booted from a Harvard advisory board because she took an adverse position on electors that had been taken by every single member of the Congressional Black Caucus in 2001.

Cancellations for some, celebrations for others for doing the exact same thing.

The President of the United States can't tweet or post on Facebook, but we know from Project Veritas that the principal counsel for PBS can call for the government to steal children from Republicans and throw Molotov cocktails at the White House. We should allow America to heal before America is lost, but that is not what is happening today.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. JORDAN. Mr. Speaker, I yield the gentleman from Florida an additional 30 seconds.

Mr. GAETZ. Mr. Speaker, the purpose of the resolution today, they want to show you that they can still tear things down. I guess, over the next 2 years, we will see if they are capable of building anything or anyone up.

This is a deeply unpopular impeachment. The public wishes we were here dealing with coronavirus, not the virus of Trump hatred that you seem to have found no vaccine for.

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume.

I heard one of our colleagues say it was the fault of the mob, not Donald Trump. But who summoned the mob? Who created the mob? Who assembled it?

You don't have to trust us if you don't like what you call "Democrat Members." We do prefer Democratic Members for the new ones, but how about this? Listen to the chair of your own conference.

The chair of the Republican Conference, LIZ CHENEY, said, "The President of the United States summoned this mob, assembled the mob, and lit the flame of this attack. Everything that followed was his doing. None of this would have happened without the President."

So you can hate the Democrat Members all you want. That is the chair of the Republican Conference.

Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, like all of us in this Chamber, the Vice President and the Cabinet swore in their oaths of office to protect and defend the Constitution from enemies foreign and domestic.

Now they must fulfill that oath by invoking the 25th Amendment. Donald Trump's reckless actions on and leading to January 6 underscore that he is a clear and present danger to our democratic traditions. He repeatedly

and blatantly lied, spouting baseless claims of a stolen election and fraud.

He called on his supporters to come to D.C. on January 6, a day which he said "will be wild," and willfully incited an armed and deadly insurrection against another branch of our government.

President Trump must be held accountable, and we must return to the peaceful transfer of power. I urge a "yes" vote.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield to the gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Mr. Speaker, I rise in support of this resolution. In recent days, it has become indisputable that this President is unable to uphold his oath to preserve, protect, and defend the Constitution.

On the contrary, he seems only capable of attacking the Constitution. Never before has a President sought to overturn a fair and secure election, threatening State officials to manufacture fraudulent votes.

Never before has a President incited mob violence to block certification of his opponent's victory.

Never before has a President refused to condemn and demand the cessation of an attack on our country.

The devastating bruises on our Nation's soul can only begin to heal by removing the weapon used to bludgeon us.

The Vice President must invoke the 25th Amendment to immediately remove power from this dangerous President. And if he doesn't, we must vote to impeach.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. KRISHNAMOORTHY).

Mr. KRISHNAMOORTHY. Mr. Speaker, I am so glad our friends have changed their mantra from "stop the steal" to "start to heal."

But in order to heal, you have to take strong medicine, and that medicine happens to be the truth. My friends, the truth is, unfortunately, this President is no longer fit to serve.

We cannot trust this President to protect American democracy after he encouraged his supporters "fight like hell" in storming the Capitol.

We cannot trust him to protect American safety after he told these violent secessionists, "We love you. You are very special."

We cannot trust this President to tell right from wrong even today when he said that his remarks on January 6 were "totally appropriate."

Mr. Speaker, we cannot trust this President to protect us when he instigated a mob that tried to kill us.

□ 2215

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield 45 seconds to the gentleman from Florida (Mr. SOTO).

Mr. SOTO. Mr. Speaker, I was in the gallery right behind us when the Capitol was breached. Then domestic terrorists breached the Rotunda. I heard the loud sounds of gunshots through this sacred Chamber. My last images were brave Capitol Police, guns drawn, to protect us.

This was the first armed insurrection in over 200 years. Who incited this violent insurrection? Donald J. Trump.

Our resolution states these protests were encouraged by him. He urged millions of his followers to come and "stop the steal," which is a lie.

And let's say this now for the RECORD and for the ages: Joe Biden won.

And for this high crime nearly ripping our country apart, we should be removing him by the 25th Amendment or he should be impeached.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, on January 6, 2021, domestic terrorists the President has empowered for years stormed the Capitol, desecrated the people's House, and threatened the lives of the Speaker, Vice President, and countless other Members and staff. None of us will ever forget that day.

The invasion of the Capitol was not only foreseeable, it was inevitable because of the many years the President has spent fanning the flames of hatred and racism in our country.

The facts are clear: The President rallied his supporters at the White House and then sent them to the Capitol to disrupt our democracy and overturn an election.

I won't spend another second explaining why Donald Trump should have long ago been removed from office. Donald Trump showed us who he was from the very beginning. Too many people turned a blind eye, and, last Wednesday, our country paid the price.

Mr. RASKIN. Mr. Speaker, may I inquire how much time both sides have remaining?

The SPEAKER pro tempore. The gentleman from Maryland has 7½ minutes remaining. The gentleman from Ohio has 8 minutes remaining.

Mr. RASKIN. Mr. Speaker, I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this past year, government told Americans: You can't go to church, you can't go to work, you can't go to school.

One hour ago, Democrats told Republicans, new rules—new rules for the House.

Today, you can say anything you want about the President, no rule on decorum, no rule about attacking personality. They can say anything they want, and we see we have done that.

Today, on the floor, you have to wear a mask. If your masks comes below your nose, you are going to get fined.

And in order to come in here and debate and constitutionally represent

your constituents, the 750,000 people we all get the privilege of serving, you had to walk through a metal detector.

And they did all those changes with less than 40 minutes of debate.

And, tomorrow, they are going to impeach a President, a President who is leaving office in 8 days—8 days before there will be a peaceful transfer of power, just like there has been every other time in American history. But they are going to do impeachment. They are going to do it, again.

They have been obsessed with it. It is truly an obsession. People on the Democrat side started calling for impeachment the day President Trump was inaugurated. They attacked him before he even won the first election, before he won in 2016. They attacked him that summer when they started their investigation.

This is scary, where this goes, because this is more than about impeaching the President of the United States; this is about canceling the President and canceling all the people you guys disagree with. That is what scares me more than anything.

We have seen it play out over the past several days. I never thought I would see the things that we are now witnessing. I don't know where it ends, but I will tell you what: It should scare us all.

And I said this in the Committee on the Judiciary—and the gentleman from Maryland will remember this—the cancel culture doesn't just go after conservatives and Republicans. It won't just stop there. It will come for us all. That is what is frightening.

And I hope you all recognize that and that at some point we can unite and actually do things that help those folks back home that we all get the privilege of representing.

Mr. Speaker, I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, the cancel culture of violent white supremacy tried to cancel out all of our lives last Wednesday.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. PANETTA).

Mr. PANETTA. Mr. Speaker, on January 7 at 4 a.m., I was right outside those doors where, 14 hours earlier, a rioter was shot as she violently tried to enter this Chamber.

It was in that early morning and at that location that I had a brief conversation with Vice President MIKE PENCE right after we finished certifying the electoral college.

I was proud that we did our job that morning despite the violence we experienced earlier that day, but I knew that was not enough because of the seditious actions by President Trump before that riot and his inaction during that riot. So I said to the Vice President, "It's up to you to keep us safe."

Tonight, with the President still in office, I am beyond asking; I am legislating to compel the Vice President to convene the Cabinet, to conclude that

the President is not just unable but, clearly, he is unwilling and unworthy to discharge his duties.

So, through this legislation, I ask my colleagues to call on the Vice President to invoke the 25th Amendment, yes, to keep us safe and keep this Nation secure.

Mr. RASKIN. Mr. Speaker, I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentlewoman from New Mexico (Ms. HERRELL).

Ms. HERRELL. Mr. Speaker, I rise in opposition to the misuse of the 25th Amendment.

To preserve separation of powers, the authors of the 25th Amendment correctly intended section 4 to be initiated by the Vice President, not by the request of Congress.

Process concerns aside, the fact is, removing the President from office will not heal our Nation. It will not bridge our partisan divides, give Americans hope, or bring us together. It will only make things worse.

With just days away until President Trump leaves the White House and just days into our new Congress, we have more important things to do. We should be working to hold Big Tech accountable. We should be working to help families and small businesses get through the pandemic. We should be working on jobs, on infrastructure, on energy, and all the other issues our constituents sent us here to address.

I am appalled by the violence that took place here last week. Those who assaulted police officers and forced their way into these hallowed halls are responsible for their criminal acts and must be brought to justice.

I cannot support the 25th Amendment, but I am also tired of the double standard, the double talk, and the double trouble that we have brought upon the American people. We have to stand for our Constitution. This is our Nehemiah moment, and we better take advantage.

Mr. RASKIN. Mr. Speaker, I yield 45 seconds to the gentleman from California (Mr. BERA).

Mr. BERA. Mr. Speaker, just over a week ago, we all took the oath of office, all of us, Democrats and Republicans, and part of that oath was to support and defend the Constitution against all enemies, both foreign and domestic.

It is quite clear what happened last Wednesday: a domestic attack on our government, a domestic attack on this body. Republicans have already acknowledged who instigated the attack. The lead instigator was the President of the United States.

Now it is our solemn duty to uphold that oath, to defend our Constitution against all enemies, foreign and domestic. There is nothing more solemn than what we have to do.

If my colleagues don't want to invoke the 25th Amendment—that is one mechanism—we will give you an opportunity tomorrow to impeach the Presi-

dent. That is our duty. That is what we have to do. Let's uphold our oath.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield 45 seconds to the gentleman from California (Mr. GOMEZ).

Mr. GOMEZ. Mr. Speaker, we are here tonight because a violent mob, incited by the President of the United States based on a lie, laid siege to Congress to overturn a Presidential election.

We have to ask ourselves, what would have happened if that mob succeeded? Why stop at one election? Why not two? Why not make Donald Trump President for life?

Thank God that did not happen and they did not succeed.

However, even after that terrible day of January 6, 2021, Donald Trump is still using the lie of a stolen election to turn American against American for his own selfish ends.

I believe even with only a few days left in office that Donald Trump is still a danger to our Republic and must be removed immediately.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RASKIN. Mr. Speaker, I yield an additional 10 seconds to the gentleman.

Mr. GOMEZ. Mr. Speaker, as an example, today, the Joint Chiefs of Staff issued a statement reaffirming their devotion to the rule of law and affirming that Joe Biden will be the 46th President of the United States.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. VELAZQUEZ).

Ms. VELAZQUEZ. Mr. Speaker, I rise in strong support of this resolution.

"Impressionable children are watching all of this, and they are learning from us. I believe we each have a moral obligation to exercise good judgment and model the behavior we hope they will emulate." That was Betsy DeVos.

"As I am sure is the case with many of you, it has deeply troubled me in a way that I simply cannot set aside." That was Elaine Chao.

Mr. Speaker, these were members of the President's own Cabinet who bore the sacred responsibility of taking action when the President is clearly unfit for office. But their words are all talk, and if they will not act, then Congress will.

So, today, we are giving the Vice President 24 hours to do right by the American people. Remove this President from office, and if you do not, the House will impeach.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Speaker, 6 days ago, I was standing right here, fulfilling my constitutional duties to certify the election. And, 6 days ago, Donald Trump was on the Mall, whipping a

mob into a frenzy with false claims of stolen elections and unconstitutional schemes. It was a big lie, the same big lie he had been telling for weeks.

He told the mob, "We are going to the Capitol" and "to fight like hell," and they did. Five died. Many more were hurt. And we were seconds away from something much worse.

My colleagues, upholding our oath, the Constitution, and our democracy means recognizing that every second that Donald Trump is President the Nation is at risk. We have the power to do something about it. MIKE PENCE must do his duty, invoke the 25th. If he won't, we will move with urgency to do ours and impeach Donald Trump again.

Mr. RASKIN. Mr. Speaker, may I inquire how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from Maryland has 2¾ minutes remaining. The gentleman from Ohio has 4¾ minutes remaining.

Mr. JORDAN. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. DAVIDSON).

Mr. DAVIDSON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I can't say it better than the Vice President said it himself. Vice President MIKE PENCE said, "Last week, I did not yield to pressure to exert power beyond my constitutional authority to determine the outcome of the election, and I will not now yield to efforts in the House of Representatives to play political games at a time so serious in the life of our Nation."

Mr. Speaker, I include this letter in the RECORD.

THE VICE PRESIDENT,
Washington, DC, January 12, 2021.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Every American was shocked and saddened by the attack on our Nation's Capitol last week, and I am grateful for the leadership that you and other congressional leaders provided in reconvening Congress to complete the people's business on the very same day. It was a moment that demonstrated to the American people the unity that is still possible in Congress when it is needed most.

But now, with just eight days left in the President's term, you and the Democratic Caucus are demanding that the Cabinet and I invoke the 25th Amendment. I do not believe that such a course of action is in the best interest of our Nation or consistent with our Constitution. Last week, I did not yield to pressure to exert power beyond my constitutional authority to determine the outcome of the election, and I will not now yield to efforts in the House of Representatives to play political games at a time so serious in the life of our Nation.

As you know full well, the 25th Amendment was designed to address Presidential incapacity or disability. Just a few months ago, when you introduced legislation to create a 25th Amendment Commission, you said, "[a] President's fitness for office must be determined by science and facts." You said then that we must be "[v]ery respectful of not making a judgment on the basis of a comment or behavior that we don't like, but based on a medical decision." Madam Speaker, you were right. Under our Constitution,

the 25th Amendment is not a means of punishment or usurpation. Invoking the 25th Amendment in such a manner would set a terrible precedent.

After the horrific events of this last week, our Administration's energy is directed to ensuring an orderly transition. The Bible says that "for everything there is a season, and a time for every purpose under heaven . . . a time to heal . . . and a time to build up." That time is now. In the midst of a global pandemic, economic hardship for millions of Americans, and the tragic events of January 6th, now is the time for us to come together, now is the time to heal.

I urge you and every member of Congress to avoid actions that would further divide and inflame the passions of the moment. Work with us to lower the temperature and unite our country as we prepare to inaugurate President-elect Joe Biden as the next President of the United States. I pledge to you that I will continue to do my part to work in good faith with the incoming administration to ensure an orderly transition of power. So help me God.

Sincerely,

MICHAEL R. PENCE,
Vice President of the United States.

□ 2230

Mr. DAVIDSON. Mr. Speaker, I thank the Vice President for his excellent leadership, for his professionalism, and, frankly, for his faithfulness to our Constitution.

Not only would it be an abuse of the 25th Amendment for MIKE PENCE to invoke it to make a political statement, it is clearly not our role in Congress to do what we are doing here tonight or what is proposed to be done by the majority.

Speaker PELOSI claims that President Trump incited the mob that attacked the Capitol at a rally. As Mr. MCCLINTOCK spoke earlier, he read the President's statement. He encouraged people to come peaceably and patriotically.

The Washington Post is reporting something that I would hope that our chairman of the Permanent Select Committee on Intelligence would know about. The FBI report warned of war at the Capitol the day before the attack on our Capitol. I am curious how someone proposes that the President incited the mob at a rally the day before the rally.

Mr. Speaker, I include in the RECORD the article.

[From The Washington Post, Jan. 12, 2021]

FBI REPORT WARNED OF 'WAR' AT CAPITOL, CONTRADICTING CLAIMS THERE WAS NO INDICATION OF LOOMING VIOLENCE

(By Devlin Barrett and Matt Zapotosky)

A day before rioters stormed Congress, an FBI office in Virginia issued an explicit warning that extremists were preparing to travel to Washington to commit violence and "war," according to an internal document reviewed by The Washington Post that contradicts a senior official's declaration the bureau had no intelligence indicating anyone at last week's demonstrations in support of President Trump planned to do harm.

A situational information report approved for release the day before the U.S. Capitol riot painted a dire portrait of dangerous plans, including individuals sharing a map of

the complex's tunnels, and possible rally points for would-be conspirators to meet in Kentucky, Pennsylvania, Massachusetts and South Carolina and head in groups to Washington.

"As of 5 January 2021, FBI Norfolk received information indicating calls for violence in response to 'unlawful lockdowns' to begin on 6 January 2021 in Washington, D.C.," the document says. "An online thread discussed specific calls for violence to include stating 'Be ready to fight. Congress needs to hear glass breaking, doors being kicked in, and blood from their BLM and Pantifa slave soldiers being spilled. Get violent. Stop calling this a march, or rally, or a protest. Go there ready for war. We get our President or we die. NOTHING else will achieve this goal.'"

BLM is probably a reference to the Black Lives Matter movement for racial justice. Pantifa is a derogatory term for antifa, a far-left anti-fascist movement whose adherents sometimes engage in violent clashes with right-wing extremists.

Yet even with that information in hand, the report's unidentified author expressed concern that the FBI might be encroaching on free-speech rights.

The warning is the starkest evidence yet of the sizable intelligence failure that preceded the mayhem, which claimed the lives of five people, although one law enforcement official, speaking on the condition of anonymity to avoid disciplinary action, said the failure was not one of intelligence but of acting on the intelligence.

At the FBI office in Norfolk, the report was written within 45 minutes of receiving the information, officials said, and shared with counterparts in Washington.

The head of the FBI's Washington Field Office, Steven D'Antuono, told reporters on Friday that the agency did not have intelligence suggesting the pro-Trump rally would be anything more than a lawful demonstration. During a news conference Tuesday, held after The Post's initial publication of this report, he said the alarming Jan. 5 intelligence document was shared "with all our law enforcement partners" through the joint terrorism task force, which includes the U.S. Capitol Police, the U.S. Park Police, D.C. police, and other federal and local agencies.

He suggested there was not a great deal for law enforcement to do with the information because the FBI at that time did not know who made the comments. "That was a thread on a message board that was not attributable to an individual person," D'Antuono said Tuesday.

D'Antuono did not say what, if anything, the FBI or other agencies did differently as a result of that information. Nor did he explain why he told reporters on Friday that there had been no such intelligence.

Steven Sund, who resigned as Capitol Police chief, said in an interview Tuesday that he never received nor was made aware of the FBI's field bulletin, insisting he and others would have taken the warning seriously had it been shared.

"I did not have that information, nor was that information taken into consideration in our security planning," Sund said.

Since the riot, agents and prosecutors have been intent on tracking down and arresting the most violent participants in the mob, in part because there is already significant online discussion of new potential clashes for Sunday and again on Jan. 20, when President-elect Joe Biden is set to take the oath of office.

Michael R. Sherwin, the acting U.S. attorney for D.C., said there would be a strike force of prosecutors looking to file charges of seditious conspiracy where the evidence merited it.